

### **REMARKS/ARGUMENTS**

The Office Action of April 3, 2009, has been carefully reviewed and these remarks are responsive thereto. Claims 1, 4, 18 and 22 have been amended and claims 2, 3, 21 and 29-31 have been canceled without prejudice or disclaimer. No new matter has been added. Claims 1, 4-20, 22-28 and 32 thus remain pending in this application. Reconsideration, entry of the amendments and allowance of the instant application are respectfully requested.

#### ***Rejections Under 35 U.S.C. § 102***

Claims 1-13 and 15-32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. Pub. No. 2003/0210440, hereinafter Hiroyasu. Applicants traverse.

Amended independent claim 1 recites, *inter alia*,

“A handheld electronic device hinge for mechanically connecting first and second rotatable body members of a handheld electronic device, said hinge comprising a first bracket and a second bracket, wherein said first bracket comprises: a first connecting member for connecting to the first rotatable body member of the handheld electronic device for rotation around a first axis; and a second connecting member connected to the second bracket for rotation of said second bracket around a second axis, said first and second axes being spaced apart and parallel to each other.”

Hiroyasu generally describes an information processing device that has two rotational axes which are perpendicular to each other. *See, e.g.*, Figure 6 (11-6 and 12-1); p. 3, para. [0049]. The Office Action asserts at p. 2 that the recited first body member is read on the body section 13 of Hiroyasu and that the second body member reads on the display section 11 of Hiroyasu. The camera 22 and the keypad 13 are rotatable around a single axis 12-1 in the arrangement of Hiroyasu. The view screen 11 of Hiroyasu is further rotatable around a perpendicular axis 11-6. Even assuming, without conceding, that such assertions are valid, there is no disclosure of first and second axes being *spaced apart and parallel to each other*. Furthermore, there is no teaching or suggestion of a fourth axis being perpendicular to the first and second axes and around which a third rotatable body member is rotatable, as also recited in claim 1. Indeed, even assuming, without conceding, that camera 22 constitutes a third rotatable body member, camera

22 in Hiroyasu is rotatable around the same axis 12-1 as the keypad (i.e., not a fourth axis that is perpendicular to the first and second axes). Claim 1 is thus allowable for at least these reasons.

Applicants respectfully submit that the above recited features allow for a double parallel axis arrangement providing an opening and closing motion of an electronic device (e.g., clam shell), which provides a space between the two parallel rotational axes allowing a further rotational body such as a camera to be mounted for rotation around an axis which is perpendicular to the parallel axes. As shown in the illustrative and non-limiting embodiment of Figure 9 of Applicants' disclosure, a camera can be mounted in a position over and between the two parallel rotational axes allowing sufficient space and freedom for the camera to be rotatable around an axis perpendicular to the two parallel axes. Such an advantageous arrangement is neither disclosed nor suggested in Hiroyasu. In fact, there would be insufficient space for the provision of such a third body rotating around an axis perpendicular to the axis of the basic opening/closing motion of the clam shell device when only a single axis is provided for the basic opening/closing motion as in Hiroyasu.

Claim 28 recites features similar to those discussed above with respect to claim 1 and is thus allowable for at least the same reasons as claim 1. For example, claim 28 recites that both second and third rotatable body members are rotatable around two perpendicular axes relative to a first rotatable body member. Clearly the camera 22 (i.e., the alleged third rotatable body member) of Hiroyasu only rotates around one axis relative to the keypad. The cited Figures 6-8 of Hiroyasu do not show, teach or suggest the camera 22 rotating about *two* perpendicular axes relative to the display section (i.e., the alleged first rotatable body member) as asserted by the Office Action at p. 7.

Claims 4-13, 15-20, 22-27 and 32 are dependent claims and are thus allowable for at least the same reasons as their respective base claims.

### ***Rejections Under 35 U.S.C. § 103***

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hiroyasu. This rejection is respectfully traversed.

Claim 14 depends on claim 1 and thus incorporates each and every feature of claim 1. As noted above, Hiroyasu fails to teach or suggest every feature of claim 1. The taking of Official Notice does not cure these deficiencies of Hiroyasu. Accordingly, notwithstanding the propriety of the taking of Official Notice, claim 14 is allowable over this asserted combination.

Further, Applicants respectfully traverse the taking of Official Notice and request support for the assertions made therein.

### **CONCLUSION**

All issues having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3156.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

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